IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Crl. W.P. No.130 of 2007

Date of Decision: 22.3.2007

Asha

....Petitioner.

Versus

State of Punjab & others.

...Respondents.

Present:- None for the petitioner.

Mr.G.S. Bhandari, DAG Punjab
for the respondents.

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S.S.SARON, J.(ORAL)

This petition under Article 226 of the Constitution of India has been filed for issuance of a writ of habeas corpus directing the respondents to release detenus Arun son of Ramji and Kalawati wife of Mathre.

Learned counsel for the State has submitted that case FIR No.30 dated 15.2.2007 for the offence under Section 379, 34 IPC has been registered at P.S.Sadar, Gurdaspur. They were arrested in the case on 16.2.2007 and were produced before the Magistrate on 17.2.2007.

Keeping in view the above position, it is evident that as on date their custody is legal. Consequently, no writ in the nature of habeas corpus is liable to be issued. The report of the warrant officer dated 21.2.2007 is on record and he has stated that the alleged detenus were not found at the place searched by him.

In view of the aforesaid position, this petition is dismissed.

(S.S.SARON)
March 22,2007 **JUDGE**
Reema